IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.323 OF 2007.

Shazma s/o.Mohammed Siddique. ... Appellant.
Versus.
Vinodkumar V.Kanabar. ... Respondent.

Shri A.M.Saraogi for the Appellant.

Respondent in person present.

CORAM : ABHAY S.OKA, J.

DATED : 21st June, 2007.

P.C.:

1. Heard the learned Advocate for the Appellant. The grievance in the Appeal is that ad-interim injunction for protecting the possession of the Appellant has not been granted by the trial Court. The Respondent appears in person and states that he has filed a suit for possession in the Small Causes Court at Bombay on 19th June 2007 for possession of the suit premises. He has tendered on record a copy of the plaint. In the said suit the present Appellant is impleaded as Defendant No.9.

2. In view of the filing of the suit, the apprehension regarding dispossession does not exist. Only on this ground no interference is made with the ad-interim order passed by the trial Court. It is made clear that all questions on merits in the pending suit are expressly kept open. The appeal is disposed of accordingly.

Judge.